

# PETITION FOR ZONING VARIANCE 85-8-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to allow an accessory building (racquetball court) to be located in the side yard instead of the required rear yard and from 400.3 to allow the height of 22.5' instead of the required 15'.

of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. The side yard is the only available land that is within close proximity and walking distance to the house;
2. The design of the addition to the existing house and the creation of the parking court necessitate that the racquetball be located in the side yard;
3. The side yard is aesthetically the correct location for the racquetball court;
4. The structure must be twenty-six (26) feet in order to accommodate a racquetball court; and

5. For such other reasons as are presented at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

Legal Owner(s): \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
SUSAN TOWNSEND  
(Type or Print Name)  
Signature \_\_\_\_\_

Attorney for Petitioner:  
Gail M. Stern  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

4 Brooklandridge Road 321-1250  
Lutherville, Maryland 21093  
City and State \_\_\_\_\_

Ordered By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 1984.

DATE \_\_\_\_\_ BY \_\_\_\_\_

Very truly yours,  
Gail M. Stern  
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER  
N/S Seminary Ave., approx. : OF BALTIMORE COUNTY  
1,404' NE of Dulany Valley Rd. (S/W E Seminary Ave.), 9th Dist. :  
DENNIS TOWNSEND, et ux, : Case No. 85-8-A  
Petitioners

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 13th day of June, 1984, a copy of the foregoing Entry of Appearance was mailed to Gail M. Stern, Attorney, Frank, Bernstein, Conway & Goldman, 1300 Mercantile Bank & Trust Bldg., 2 Hopkins Plaza, Baltimore, Md. 21201, Attorney for Petitioners.

Peter Max Zimmerman  
Deputy People's Counsel

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

June 14, 1984

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Dennis Townsend, et ux

Location: N/S Seminary Ave. 1404.24' N/E from c/l Dulany Valley Road  
Item No.: 311 Zoning Agenda: Meeting of 5/22/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: \_\_\_\_\_ Noted and Approved: \_\_\_\_\_  
Planning/Code Fire Prevention Bureau  
Special Inspection Division

/mb

85-8-A

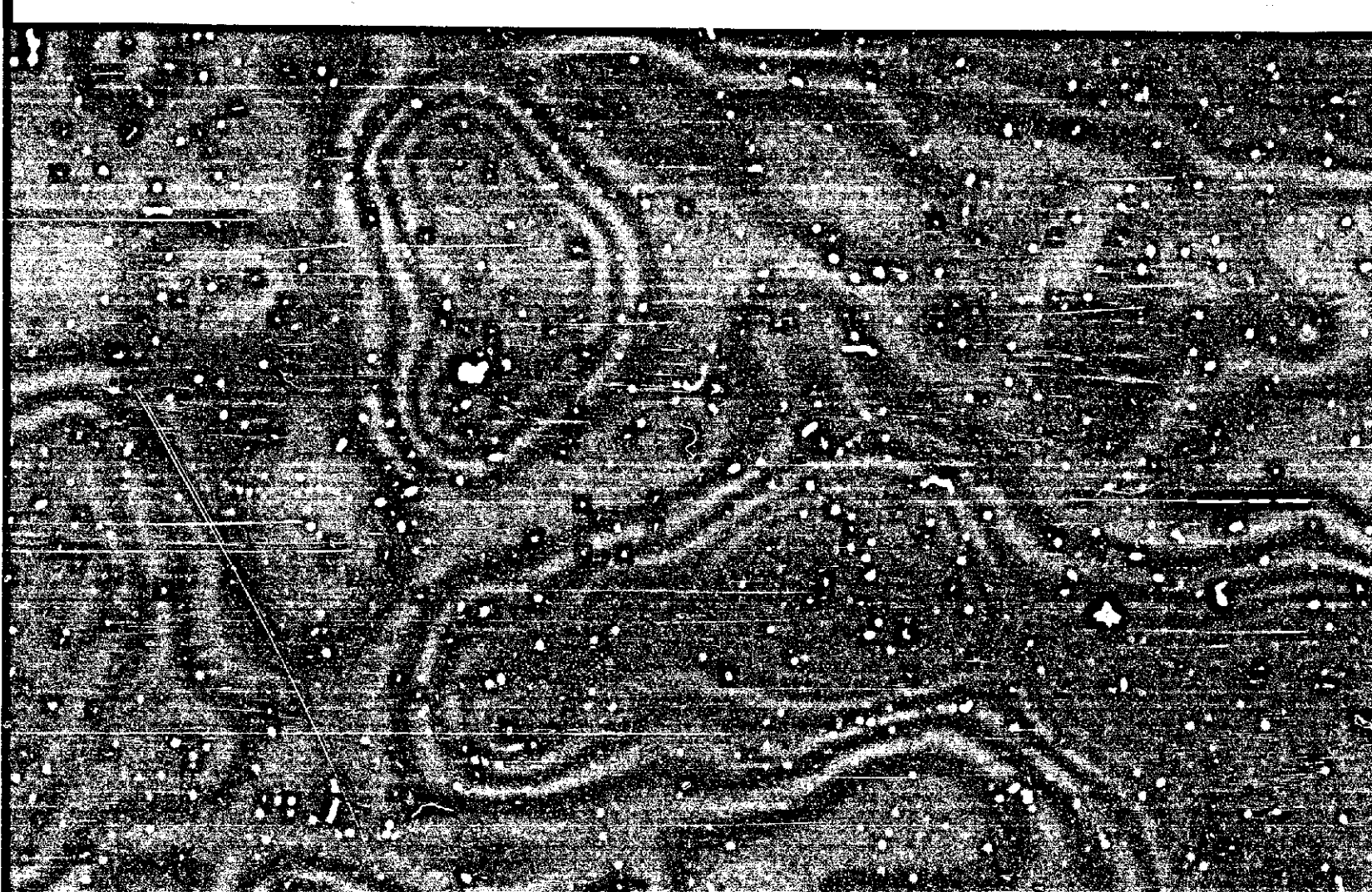
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 22nd day of May, 1984.

ARNOLD JABLON  
Zoning Commissioner

Petitioner Dennis Townsend, et ux Received by \_\_\_\_\_  
Petitioner's Attorney Gail Stern, et ux Chairman, Zoning Plans Advisory Committee



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211  
NORMAN E. GERBER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

5/21/84

Re: Zoning Advisory Meeting of 5/21/84  
Item # 311  
Property Owner: DENNIS TOWNSEND, et ux  
Location: N/S Seminary Ave. 1404.24' N/E from  
Dulany Valley Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-16 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- (X) Landscaping should be provided on this site and shown on the plan.
- (X) The property is located in a deficient service area as defined by Bill 176-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments: \_\_\_\_\_

Ernest A. Bober  
Chief, Current Planning and Development

7/3  
85-8-A

cc: James Howell

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1984

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

NICHOLAS B. COMMODARI  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Gail M. Stern, Esquire  
300 E. Lombard Street  
Suite 1700  
Baltimore, Maryland 21202

RE: Item No. 311 - Case No. 85-8-A  
Petitioner - Dennis Townsend, et ux  
Variance Petition

Dear Ms. Stern:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: The Architectural Foundation, Inc.  
5803 Dale Road  
Baltimore, Maryland 21209

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 25, 1984

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

NICHOLAS B. COMMODARI  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Gail M. Stern, Esquire  
300 E. Lombard Street  
Suite 700  
Baltimore, Md. 21202

RE: Item No. 311 - Case No. 85-8-A  
Dennis Townsend, et ux  
Variance Petition

Dear Ms. Stern:

Enclosed please find additional comments submitted after my original comments of June 19, 1984.

Very truly yours,

NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosure

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. FISTEL, P.E.  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item No. 311 (1983-1984)  
Property Owner: Dennis Townsend, et ux  
N/S Seminary Avenue 1,404.24' N/E from c/l of  
Dulany Valley Road  
Existing Zoning: D.R. 1  
Acres: Lot No. 69 - 9-109 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

## General:

Baltimore County highway and utilities improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

There is a public 6-inch water main in Seminary Avenue.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item No. 311 (1983-1984).

Very truly yours,

Gilbert S. Benson, P.E., Asst. Chief  
Bureau of Public Services

GSB:RAM:FWR:pmg

R-SW Key Sheet  
47 and 48 NE 5 Pos. Sheet  
NE 12 2 2 Topo  
61 Tax Map

SEP 30 1984



ORDER RECEIVED FOR FILING

DATE July 4, 1984  
BY [Signature]  
JMDJ/mc

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of July, 1984, that the herein Petition for Variance(s) to permit an accessory building (racquetball court) to be located in the side yard in lieu of the required rear yard and to permit the height to be 22.5 feet in lieu of the required 15 feet, in accordance with the site plan prepared by The Architectural Foundation, Inc., dated July 11, 1984, and marked Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order.

[Signature]  
Deputy Zoning Commissioner of  
Baltimore County

# PETITION FOR VARIANCES

9th Election District

ZONING: Petition for Variances  
LOCATION: North side Seminary Avenue, approximately 1,404 ft. Northeast of Dulany Valley Road (514 E. Seminary Avenue)  
DATE & TIME: Tuesday, July 3, 1984 at 10:00 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

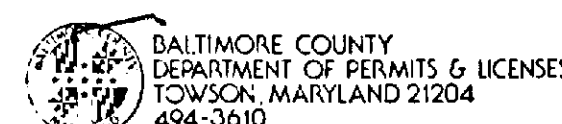
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to allow an accessory building (racquetball court) to be located in the side yard instead of the required rear yard and to allow the height of 22.5 ft. instead of the required 15 ft.

Being the property of Dennis Townsend, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



ED ZALSKI JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 311 Zoning Advisory Committee Meeting are as follows:

Property Owner: Dennis Townsend, et ux  
Location: N/S Seminary Avenue 1404.24' N/E from c/l Dulany Valley Rd.  
Existing Zoning: R-1  
Proposed Zoning: Variance to permit an accessory structure (racquetball court) to be located in the side yard and in lieu of the required rear yard and to permit a height of 22.5' in lieu of the required 15'.  
Acres: .10  
District: 9th #69 - 9-109

The items checked below are applicable:  
X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 X  
X B. A building permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.  
X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1107 and Table 1102, also Section 2012.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section 4.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,  
[Signature]  
Charles E. Burdman, Chief  
Plans Review

## PROPERTY DESCRIPTION

Beginning on the north side of Seminary Avenue 1404 feet east of Dulany Valley Road. Being the roadbed of Stonebridge Road north of Seminary Avenue. Lots No. 69 and part of Lot #72. All on the plat of Hampton No. 1 recorded in the land records under Book No. 9, Folio 109. Also known as 514 E. Seminary Ave. 9th Election District.



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

July 6, 1984

Gail M. Stern, Esquire  
Frank, Bernstein, Coraway & Goldman  
1300 Mercantile Bank & Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

RE: Petition for Variances  
N/S Seminary Ave., approximately 1,404' NE of Dulany Valley Rd. (514 East Seminary Ave.) - 9th Election District  
Dennis Townsend, et ux - Petitioners  
No. 85-8-A (Item No. 311)

Dear Ms. Stern:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,  
[Signature]  
JEAN M.H. JUNG  
Deputy Zoning Commissioner

JMDJ/mc

Attachments

cc: People's Counsel



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

June 27, 1984

Gail M. Stern, Esquire  
1300 Mercantile Bank & Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

Re: Petition for Variances  
N/S Seminary Ave., approx. 1,404' NE of Dulany Valley Rd. (514 E. Seminary Avenue)  
Dennis Townsend, et ux - Petitioners  
Case No. 85-8-A

Dear Ms. Stern:

This is to advise you that \$49.38 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

[Signature]  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 7/9/84 ACCOUNT 01-615-000  
AMOUNT \$49.38

RECEIVED Gail Stern  
FOR Frank & Bernstein  
85-8-A  
C 615\*\*\*\*\*492810 4032A

VALIDATION OR SIGNATURE OF CASHIER

SEP 30 1984



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: June 14, 1984

Norman E. Gerber, Director  
FROM: Office of Planning and Zoning

Zoning Petition Nos. 85-1, 85-3-SpHA, 85-4-A,  
SUBJECT: 85-5-A, 85-6-X and 85-8-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber per [Signature]  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG/JGH/sf

June 6, 1984

Gail M. Stern, Esquire  
1300 Mercantile Bank & Trust Building  
2 Hopkins Plaza  
Baltimore, Maryland 21201

## NOTICE OF HEARING

Re: Petition for Variances  
N/S Seminary Ave., approx. 1,404'  
NE of Dulany Valley Rd. (514 E. Seminary Avenue)  
Dennis Townsend, et ux - Petitioners  
Case No. 85-8-A

TIME: 10:00 A.M.

DATE: Tuesday, July 3, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

[Signature]  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 130224

DATE 5/7/84 ACCOUNT 01-615-000  
AMOUNT \$35.00

RECEIVED Gail Stern  
FROM: Filing Fee for Variance # 311  
FOR: [Signature]

C 013\*\*\*\*\*350010 609-A

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 9 Date of Posting 6/16/84

Posted for: Petition for Variance

Petitioner: Dennis Townsend, et ux

Location of property: N/S Seminary Ave., approx. 1404'  
NE of Dulany Valley Rd.

Location of Signs: 514 E. Seminary Ave. at entrance to # 514 E. Seminary Ave.

Remarks: [Signature]

Posted by: [Signature] Date of return: 6/22/84

Number of Signs: 1

## PETITION FOR VARIANCES

8th Election District

ZONING: Petition for Variance

LOCATION: North side Seminary Avenue, approximately 1,404 ft. Northeast of Dulany Valley Road (514 E. Seminary Avenue)

DATE &amp; TIME: Tuesday, July 3, 1984 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Variances to allow an accessory building (tennis court) to be located in the side yard instead of the required rear yard and to allow the height of 20 ft. instead of the required 16 ft.

Being the property of Dennis Townsend, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. However, entertain any request for a stay of issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of

ARNOLD D. JABLON

Zoning Commissioner of Baltimore County

June 14

## CERTIFICATE OF PUBLICATION

TOWSON, MD., June 14, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 14, 1984.

THE JEFFERSONIAN,

[Signature]

Publisher

Cost of Advertising

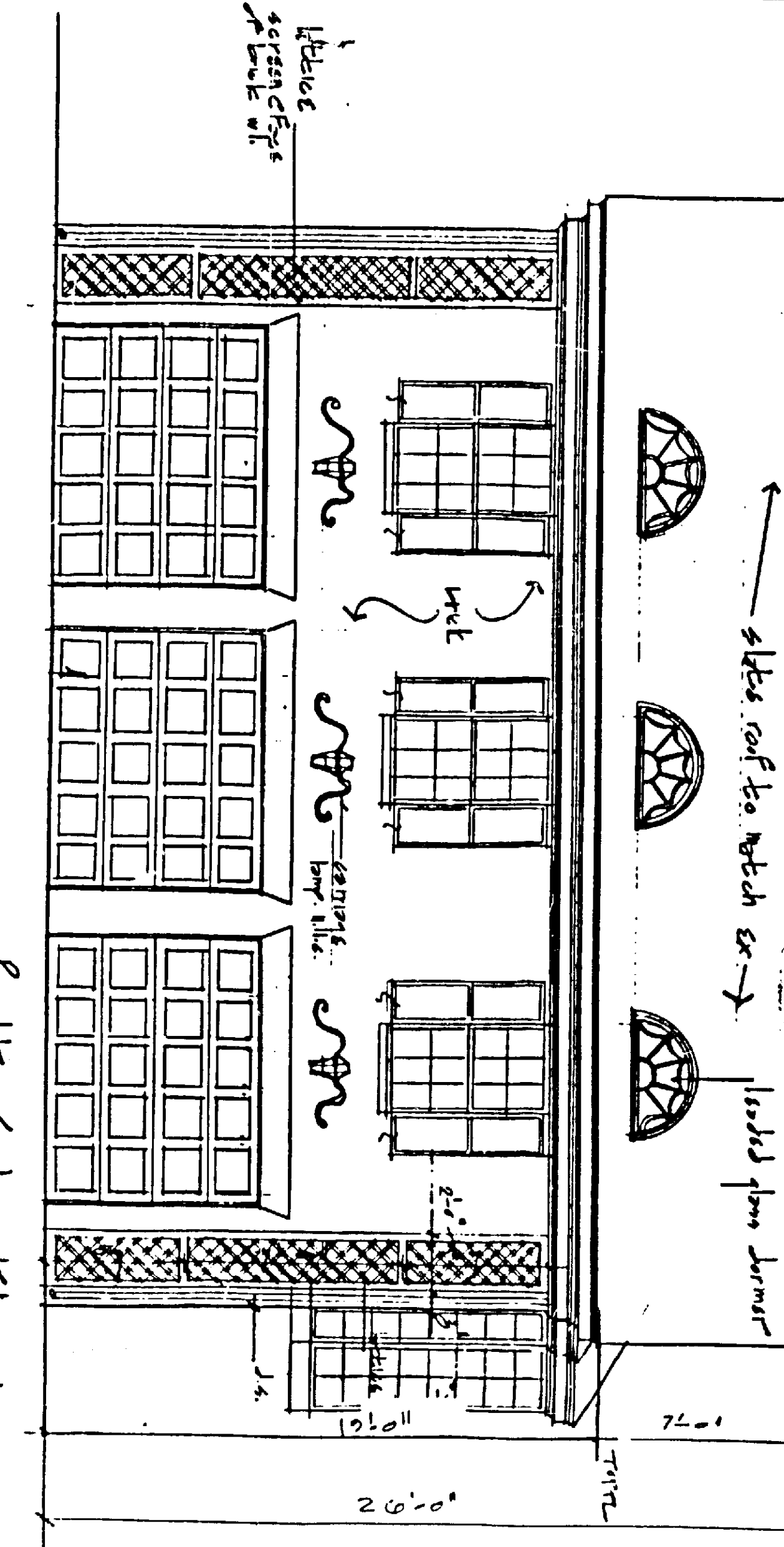
\$20.00

Sheet 2 of 2

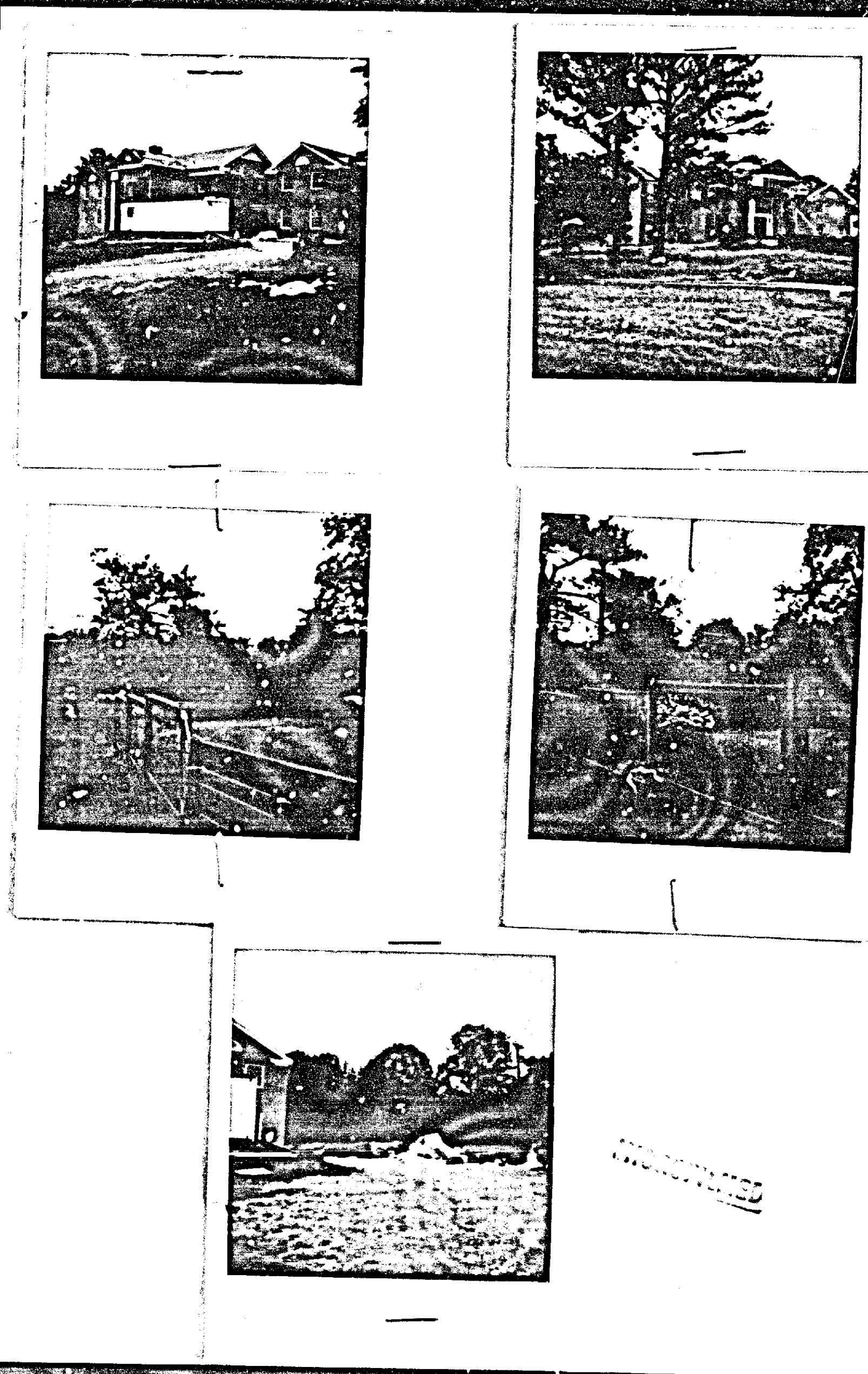
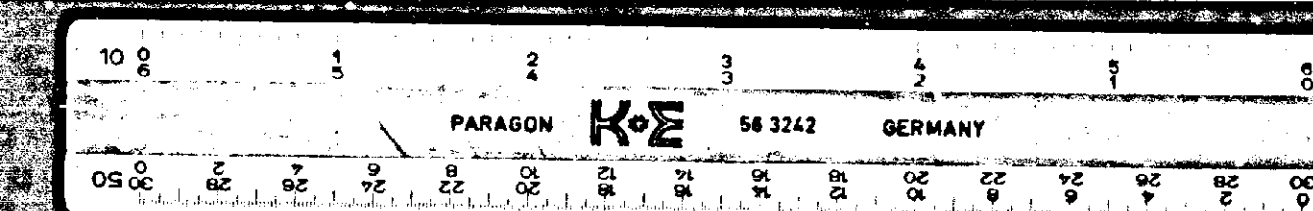
Right Side Elevation

11/10/84

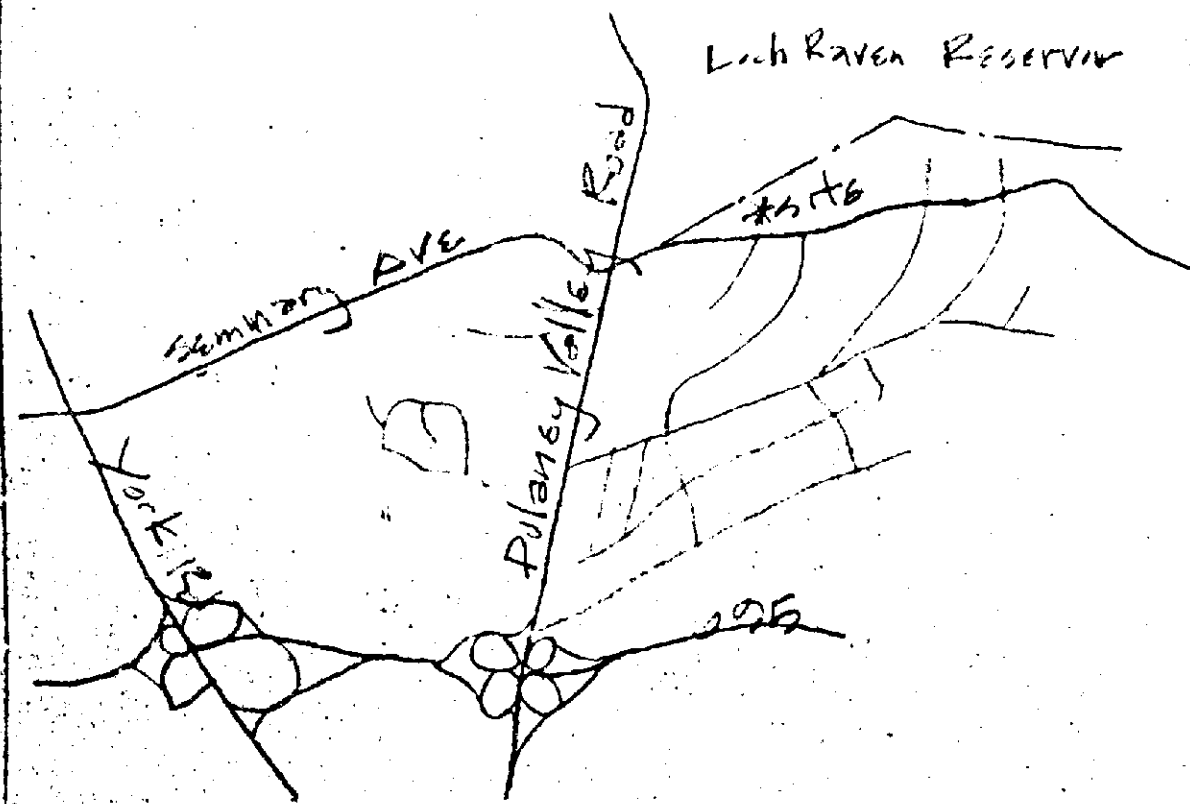
14:18



PETITIONER'S  
EXHIBIT 1







Location Map

Notes

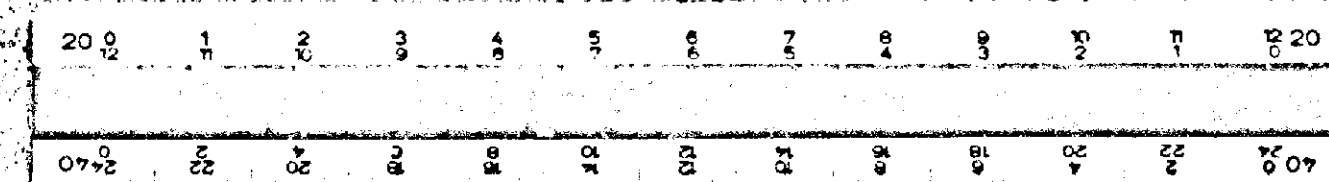
1. Clearing, excavate on finished ground by general contractor. All seeding, mulch &/or other planting shall be done by landscape contractor. General contractor shall coordinate work w/ landscape contractor to insure proper phasing of soil, trenching, earth, planting, etc.
2. Exst drive & concrete pad shall be removed complete to road. To install new blocktop drive over old CR to old exst drive as indicated on plat.
3. General contractor shall provide removal &/or relocation of exst trees w/ landscape contractor. Relocation of exst trees shall be performed by landscape contractor.

Site Data

OWNER: Dennis & Susan Townsend  
 814 E. Summary Ave.  
 Tucson, Md. 21204  
 Plot #1 The Hampton Co.  
 Bldg #30 1010 100  
 Election District 2th  
 A.C. I  
 EX. ZONING: DR-1



Plot For Zoning Variance  
 Site Plan 1/4/83



PETITIONER'S  
 EXHIBIT 1